

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DAMILARE SONOIKI,

Plaintiff,

v.

HARVARD UNIVERSITY, HARVARD
UNIVERSITY BOARD OF OVERSEERS,
and THE PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Defendants.

Civil Action No. 1:19-cv-12172

DEFENDANTS' MOTION TO DISMISS THE COMPLAINT

Pursuant to Federal Rule of Civil Procedure 12(b)(6) and Rule 7.1(b) of the Local Rules of the United States District Court for the District of Massachusetts, Defendants Harvard University, Harvard University Board of Overseers, and the President and Fellows of Harvard College, by and through their undersigned attorneys, hereby move this Court for an Order dismissing Plaintiff Damilare Sonoiki's Complaint in its entirety. In support of this Motion, Defendants rely upon the accompanying: (1) Memorandum of Law and (2) Declaration of Patrick D. McKegney.

REQUEST FOR ORAL ARGUMENT

Pursuant to Rule 7.1(d) of the Local Rules of the United States District Court for the District of Massachusetts, Defendants hereby request oral argument in connection with this Motion on the ground that such argument may assist the Court in connection with the issues presented herein.

RULE 7.1(A)(2) CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), undersigned counsel for Defendants certifies that Defendants' counsel has conferred in good faith with counsel for Plaintiff in an effort to resolve or narrow the issues presented in this Motion.

WHEREFORE, Defendants respectfully request that this Court issue an Order dismissing the Complaint with prejudice.

Dated: December 20, 2019

Respectfully submitted,

/s/ Anton Metlitsky

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 20, 2019.

/s/ Anton Metlitsky

Anton Metlitsky (*pro hac vice*)